

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Jerry Ngome Komando

v.

Case No. 22-cv-00425-SE

FCI Berlin, Warden

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated March 16, 2023. Mr. Komando's petition (Doc. Nos. 1, 25) is granted. The respondent is directed to recalculate Mr. Komando's FSA time credits to include his eligibility for those credits beginning on June 9, 2021. The respondent is directed to release Mr. Komando from BOP custody upon time served if he has not already been released.

The clerk's office is directed to terminate all pending motions, enter judgment, and close the case.

"[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see

also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

A handwritten signature in dark ink, appearing to read "SD Elliott", written over a horizontal line.

Samantha D. Elliott  
United States District Judge

Date: April 23, 2023

Cc: Cathy J. Green, Esq.  
Seth R. Aframe, Esq.